

Federal Communications Commission

DA 03-1148

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Amendment of Section 73.606(b),	)	MB Docket No. 03-20
Table of Allotments,	)	RM-10634
Television Broadcast Stations.	)	
(Christiansted, Virgin Islands)	)	

**REPORT AND ORDER**  
**(Proceeding Terminated)**

**Adopted: April 14, 2003**

**Released: April 23, 2003**

By the Chief, Video Division:

1. At the request of Virgin Blue, Inc. ("Virgin Blue"), licensee of station WCVI-TV, Christiansted, Virgin Islands, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 765 (2003), proposing the substitution of channel 39 for channel 27 for station WCVI-TV. Virgin Blue and Televiscentro of Puerto Rico, LLC ("Televiscentro") filed comments.<sup>1</sup>

2. Virgin Blue and Televiscentro filed comments supporting the channel substitution at Christiansted. Televiscentro claims that after its station, WAPA-DT, commenced operations, Virgin Blue notified Televiscentro that WAPA-DT was causing interference to WCVI-TV's co-channel analog operations.<sup>2</sup> Virgin Blue asserts that although WAPA-DT was operating at the power level authorized by the Commission, its operation reduced the number of potential viewers of WCVI-TV by more than 50 percent. Televiscentro states that adoption of Virgin Blue's channel substitution proposal will eliminate the interference between WAPA-DT and WCVI-TV.

3. We believe the public interest would be served by substituting channel 39 for channel 27 since it would permit station WCVI-TV to eliminate the co-channel interference to station WAPA-DT at San Juan. A staff engineering analysis indicates that channel 39 can be allotted to Christiansted with a zero offset in compliance with the minimum distance separation requirements of Sections 73.610 and 73.698 of the Commission Rules. The coordinates for channel 39 at Christiansted are North Latitude 17-44-53 and West Longitude 64-43-40.

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 9, 2003, the TV Table

<sup>1</sup> Televiscentro is the licensee of station WAPA-DT, channel 27, San Juan, Puerto Rico.

<sup>2</sup> Televiscentro submits that in late 2002 it began operating station WAPA-DT with reduced facilities pursuant to a Special Temporary Authority ("STA") granted by the Commission. Televiscentro states that the Commission granted WAPA-DT's STA request in order to allow Virgin Blue an opportunity to prosecute the channel substitution.

of Allotments, Section 73.606(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Christiansted, Virgin Islands	8+ , 15, *21, 39

5. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, Virgin Blue, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying TV Channel 39 in lieu of TV Channel 27 for station.

6. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

7. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau